

VZCZCXRO1517
PP RUEHDBU RUEHHM RUEHJO RUEHLN RUEHPOD RUEHSK RUEHVK RUEHYG
DE RUEHMO #0224/01 0291438
ZNR UUUUU ZZH
P 291438Z JAN 10
FM AMEMBASSY MOSCOW
TO RUEHC/DEPT OF LABOR WASHDC PRIORITY
RUEHC/SECSTATE WASHDC PRIORITY 6095
INFO RUCNCIS/CIS COLLECTIVE PRIORITY
RUEHXI/LABOR COLLECTIVE PRIORITY
RUEHXD/MOSCOW POLITICAL COLLECTIVE PRIORITY
RHEHNSC/NSC WASHDC PRIORITY

UNCLAS SECTION 01 OF 04 MOSCOW 000224

SIPDIS

STATE FOR EUR/RUS, DRL/ILCSR FOR SMORGAN, G/TIP FOR LCDEBACA
DOL/ILAB FOR LSTROTKAMP, RRIGBY, TMCCARTER

E.O. 12958: N/A

TAGS: [ELAB](#) [ECON](#) [EIND](#) [PGOV](#) [SOCI](#) [RS](#)

SUBJECT: INFORMATION ON CHILD LABOR AND FORCED LABOR FOR
DOL CONGRESSIONAL REPORTING REQUIREMENTS

REF: SECSTATE 131995

Task 1/TVPRA

[¶1.](#) (U) Post does not have information on additional goods for
the Russia TVPRA list.

Task 2/TDA

2A. Prevalence and Sectoral Distribution of Exploitive Child Labor

[¶1.](#) (U) Child labor in Russia encompasses not only Russian children, but often children from neighboring countries. Some children are brought to Russia for the purpose of exploitation, while others come with migrant worker parents. In urban areas, children can be found working primarily in the informal sector in retail services, street hawking, washing cars, repairing automobiles, making deliveries, collecting trash, and begging. In rural areas, children are more commonly involved in agricultural work. Among street children, boys are usually involved in hard, physical labor, while girls are more likely to work in trade and prostitution. However, child prostitution involving boys does exist in Russia, particularly among homeless and orphaned children. Homeless and orphaned children on the streets are engaged in prostitution as a means to survive. Child sex tourism and commercial sexual exploitation remain a concern, especially in St. Petersburg and Moscow, but also for other large Russian cities. Domestic trafficking of children from rural areas to urban centers and between regions also occurs. (Note: Information gathered from public documents and statements by the GOR Children's Ombudsman, UNICEF, and child protection NGOs. End Note.)

[¶2.](#) (U) In 2008, the Federal Labor and Employment Service (FLES) reported 10,000 violations of child labor laws, noting that the victims often received little pay and suffered from unsafe working conditions. FLES found the largest incidence of exploitive child labor in the industrial, trade, and agricultural sectors. Employers paid 1.5 million rubles (USD 52,000) in administrative fines for violations of child labor laws. In addition, labor inspectors corrected more than 300 labor agreements for minors encumbering positions legal for workers of their age and restored to work more than 250 minors who had been illegally terminated.

2B. Laws and Regulations

[¶1.](#) (U) In December 2008, the GOR created a Child Support Fund (CSF) to protect the social welfare of children, providing

specific assistance to orphans and disabled children. The Fund also develops programs for the social rehabilitation of children (e.g. finding homes for orphaned children and treating victims of abuse) and the prevention of child homelessness. In 2009, the Fund implemented 58 regional programs with 630 million rubles (USD 21 million) in its own financing, 4.5 billion rubles (USD 152 million) in regional government funds, and 362 million rubles (USD 12 million) in donations from businesses and NGOs.

In July 2009, the GOR strengthened the Criminal Code for crimes against the life, health, and sexual inviolability of minors. Criminals guilty of sexual assault on a minor are now subject to sentences of 8-15 years, as opposed to 4-10 previously. If the victim is under the age of 16, the range of possible sentences increases to 12-20 years. Previously, the age at which the range of possible sentences increased was 14, but possible sentences ranged from only 8-15 years. In addition, criminals guilty of engaging in sexual intercourse with a minor may be prohibited from working in certain professions for a period of up to 20 years. After receiving such a sentence, the guilty person would not be eligible to appeal for parole until he or she had served at least three-fourths of his or her sentence.

In addition, the GOR increased the range of possible sentences from up to six years to up to eight years for criminals found guilty of disseminating pornography that depicts minors. If the minor involved is under the age of 14, the sentencing range increased from up to eight years, to a minimum of three and a maximum of ten years.

MOSCOW 00000224 002 OF 004

In September 2009, the GOR created the office of the Children's Ombudsman at the federal level. The Children's Ombudsman will serve as an information clearinghouse at the federal level for activities that promote and protect children's rights. Regional affiliates of the federal Children's Ombudsman already exist in 28 regions of the Russian Federation. The GOR hopes to establish similar offices in the remaining regions in the near future. In addition, the Children's Ombudsman will create a national center for missing children which, among other functions, will serve as a resource center for parents, law enforcement officials, and members of the public seeking information on the sexual exploitation of children.

12. (U) The legal and regulatory framework of the Russian Federation is adequate for addressing exploitive child labor. However, it is worth noting that Russia still has not ratified the Optional Protocol on the Sale of Children, Child Prostitution, and Child Pornography of the UN Convention on the Rights of the Child.

2C. Institutions and Mechanisms for Enforcement. Section I: Hazardous Child Labor.

11. (U) FLES and the Public Prosecutor are responsible for the enforcement of laws relating to hazardous child labor.

12. (U) Official data on information exchange mechanisms is not available.

13. (U) Workers, employers, and labor inspectors are able to issue complaints about hazardous child labor violations. Official data is not available.

4-14. (U) Official data on funding for inspections, staffing levels, the number of inspections, the number of children involved, the number of prosecutions, the number of cases closed, the number of convictions, case length, penalties, and trainings regarding hazardous child labor is not available.

2C. Institutions and Mechanisms for Enforcement. Section II:

Forced Child Labor.

¶1. (U) FLES and the Public Prosecutor are responsible for the enforcement of laws relating to forced child labor.

¶2. (U) Official data on information exchange mechanisms is not available.

¶3. (U) Workers, employers, and labor inspectors are able to issue complaints about forced child labor violations. Official data is not available.

4-14. (U) Official data on funding for inspections, staffing levels, the number of inspections, the number of children involved, the number of prosecutions, the number of cases closed, the number of convictions, case length, penalties, and trainings regarding forced child labor is not available.

2D. Institutional Mechanisms for Effective Enforcement.
Section I: Child Trafficking

¶1. (U) Ministry of Internal Affairs (MIA) personnel enforce laws and regulations prohibiting child trafficking, but the MIA does not have a special department dedicated to the prevention of child trafficking.

¶2. (U) Official data on agency funding levels regarding child trafficking is not available.

¶3. (U) A hotline is planned but not yet operational.

4-12. (U) Official data on the number of investigations, number of children rescued, number of arrests, number of cases closed, number of convictions, sentences imposed, case length, and training regarding child trafficking is not available.

¶13. (U) In general, children are not involved in armed conflict in Russia.

2D. Institutional Mechanisms for Effective Enforcement.
Section II: Commercial Sexual Exploitation of Children

¶1. (U) MIA personnel enforce laws and regulations prohibiting child trafficking, but the MIA does not have a special department dedicated to the prevention of the commercial

MOSCOW 00000224 003 OF 004

sexual exploitation of children.

¶2. (U) Official data on agency funding levels regarding the commercial sexual exploitation of children is not available.

¶3. (U) A hotline is planned but not yet operational.

¶4. (U) MIA reported 223 violations regarding the production and distribution of pornography depicting a minor in 2008, opened 159 investigations, and issued 157 indictments. MIA registered 159 crimes for the production and distribution of child pornography in the first half of 2009.

5-12. (U) Official data on the number of children rescued, number of arrests, number of cases closed, number of convictions, sentences imposed, case length, and training regarding the commercial sexual exploitation of children is not available.

¶13. (U) In general, children are not involved in armed conflict in Russia.

2D. Institutional Mechanisms for Effective Enforcement.
Section III: Use of Children in Illicit Activities

¶1. (U) MIA personnel enforce laws and regulations prohibiting child trafficking, but the MIA does not have a special department dedicated to the prevention of child trafficking.

¶2. (U) Official data on agency funding levels regarding the use of children in illicit activities is not available.

13. (U) A hotline is planned but not yet operational.

4-12. (U) Official data on the number of investigations, number of children rescued, number of arrests, number of cases closed, number of convictions, sentences imposed, case length, and training regarding the use of children in illicit activities is not available.

13. (U) In general, children are not involved in armed conflict in Russia.

2E. Government Policies on Child Labor

1. (U) The GOR does not have a policy or plan that specifically addresses child labor.

2. (U) The GOR did not incorporate exploitive child labor specifically as an issue to be addressed in other social policies.

3-5. (U) Not applicable

6. (U) The Bilateral Presidential Commission's Civil Society working group will address exploitive child labor as part of the children's issues on its agenda.

7. (U) The GOR did not sign a bilateral, regional, or international agreement to combat trafficking in 2009. However, in September, the GOR and other CIS countries agreed to a set of recommendations on the modernization of international cooperation in the fight against human trafficking, which will be a part of the CIS 2010-2014 program to combat trafficking.

2F. Social Programs to Eliminate or Prevent Child Labor

1. (U) CSF is developing a program for 2010 that will target violence against children, including sexual exploitation. The program will focus on raising public awareness of the problem, increasing parental responsibility, and treating victims.

2. (U) The GOR did not incorporate child labor specifically as an issue to be addressed through its social programs.

3. (U) CSF will devote 120 million rubles (USD 4 million) of its own funds to the new program in 2010.

4-5. (U) Not applicable

6. (U) The GOR did not sign a bilateral, regional, or international agreement to combat trafficking in 2009. However, in September, the GOR and other CIS countries agreed to a set of recommendations on the modernization of international cooperation in the fight against human trafficking, which will be a part of the CIS 2010-2014

MOSCOW 00000224 004 OF 004

program to combat trafficking.

2G. Continual Progress

1. (U) Although exploitive child labor continues to be a problem in Russia, the GOR has taken significant steps to give higher priority to child welfare issues at the federal level, increase penalties for violations of laws and regulations relating to child labor and exploitation, and expand its child welfare programs. In 2008, the number of reported violations of child labor laws and the total fines for those violations increased in comparison with previous years.
Beyrle